

JUN 29 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Donohoe, Brendan M.; et. al.
Assignee: Cardica, Inc.
Title: Method and Apparatus for Creating an Opening in the Wall of a Tubular Vessel
Serial No.: 10/054,745 Filing Date: January 22, 2002
Examiner: Bui, Vy Q. Group Art Unit: 3731
Docket No.: 057

June 29, 2006

Mail Stop AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450


**NOTICE OF APPEAL FROM THE DECISION OF THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(UNDER 37 CFR §41.31)**

Sir:

Applicants hereby appeal the Final Rejection of Claims 1-15, 17-31, 33-39 and 51 in the Final Office Action of May 18, 2006 to the Board of Patent Appeals and Interferences. This is the second Notice of Appeal filed in this case.

No extension of time is believed to be required. If, however, an extension of time is required, please provide such extension of time, and please charge Deposit Account No. 502108 for the extension fee. Please charge any amounts underpaid or credit any amounts overpaid to Deposit Account No. 502108.

Respectfully submitted,


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